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June 26, 2009

Magistrate Judge Patty Shwartz  
United States District Court - District of New Jersey  
Frank R. Lautenberg U.S.P.O. & Ct. Hse. Bldg.-Rm477  
50 Walnut Street-P. O. Box 999  
Newark, New Jersey 07101

**Re: Wei Ngai, Enid Tran & Chau Ngai vs. Gap, Inc.**  
**Our File #: D 153-44720 GLP**  
**Docket #: 2:07-cv-05653**

Dear Magistrate Judge Shwartz:

The purpose of this letter is to respond to Ms. Arnold's June 23, 2009 letter requesting "any and/or all documents submitted by Defendant in support of the Motion for Withdrawal of Appearance for Scott Feringa" that "fall outside of the Attorney-Client Privilege." It is the position of Gap, Inc. that all communications between Mr. Feringa and Fiona Williams are privileged and should not be disclosed or released. They had no bearing on the testimony of the witness, they are irrelevant to the merits of this case and should not be raised again going forward. A copy of the transcript of Fiona Williams is attached and includes the rulings of Judge Shwartz. It will place all of this in context. Once reviewed and resolved, the defendant requests a ruling precluding plaintiff from raising this issue at trial.

In her letter, Ms. Arnold asserted that under George v. Siemens Industrial Automation, Inc., 182 F.R.D. 134, 142 (D.N.J.1998) she may view non-privileged documents. In George, the court held that an attorney certification was protected by the attorney client privilege. The only communication that was

disclosed was a solitary paragraph of a twenty-one paragraph certification of another attorney. It was disclosed because it did not contain privileged information and contained information about the plaintiff's state of mind which was an issue of the case. At the time, it was a late stage of the litigation and the party seeking the information would have suffered an undue hardship in attempting to obtain the information from other sources.

Here, George does not require disclosure of the certification and/or documents submitted in support of the motion to the adverse party. See R.P.C. 1.6. The certification and documents submitted in support of the motion are protected by the attorney-client privilege and work product doctrines. See F.R.E. 501. I respectfully request that the court examine the privileged material in camera and I am confident that the Court will see that the "crime fraud" and "at issue" exceptions do not apply. My client did not make a communication with Mr. Feringa in furtherance of a crime or fraud. Furthermore, these documents do not refer to my client's state of mind or any other issue relevant to this matter. Therefore, the "crime fraud" and "at issue" exceptions do not apply and the privileges bar disclosure of the information.

Very truly yours,

  
George L. Psak

GLP/d

cc: Scott D. Feringa, Esq., Sullivan, Ward, Asher & Patton  
Rosemarie Arnold, Esq., Law Offices of Rosemarie Arnold  
Fiona Williams, The Gap, Inc.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
CIVIL ACTION NO. 2:07-cv-5653

WEI NGAI, an infant by her  
Guardian Ad Litem, ENID TRAN,  
EDID TRAN, Individually, and  
CHAU NGAI, Individually,  
Plaintiffs,

DEPOSITION OF  
FIONA WILLIAMS

vs.

OLD NAVY, a subsidiary of GAP,  
Inc., and/or "ABC CORP 1  
through 10", and/or DEF CORP 1  
through 10", (the last two  
being fictitious  
designations).  
Defendants.

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T R A N S C R I P T of the stenographic  
notes of THERESA L. TIERNAN, a Certified Shorthand  
Reporter and Notary Public of the State of New Jersey,  
taken at the offices of ROSEMARIE ARNOLD, 1386 PALISADE  
AVENUE, FORT LEE, NEW JERSEY, on THURSDAY, JUNE 4,  
2009, commencing at 2:36 p.m. - WITNESS TELECONFERENCE  
TAKING PLACE AT: 915 HIGHPOINTE DRIVE, ROOSEVELT,  
CALIFORNIA - SCOTT FERLINGA, ESQ., TELECONFERENCE AT  
30800 TELEGRAPH, SUITE 2950, SOUTHFIELD, MICHIGAN  
48075.

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I N D E X

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FIONA WILLIAMS

BY: MS. ARNOLD 4

BY: MR. FERINGA 30

E X H I B I T S

NUMBER

DESCRIPTION

IDENT

P. WILLIAMS-1 DOCUMENT REQUEST &  
RESPONSE

4

P. WILLIAMS-2 LETTER

26

WILLIAMS - DIRECT - ARNOLD

1 (Exhibit received and marked P. WILLIAMS-1  
2 for identification.)

3 F I O N A W I L L I A M S, 3900 ATHERTON ROAD,  
4 ROCKLAND, CALIFORNIA, being first duly sworn by the  
5 Notary, testifies as follows:

6 DIRECT EXAMINATION BY MS. ARNOLD:

7 Q. Fiona, good morning, I deposed you --

8 A. Good morning.

9 Q. I'm sorry. I deposed you once before  
10 and I gave you instructions with respect to the  
11 deposition.

12 Do you need me to repeat them?

13 A. No.

14 Q. Okay. Do you know who Denise Campbell  
15 is?

16 A. Yes.

17 Q. Could you tell me for the record who  
18 she is?

19 A. Could I tell you who she is?

20 Q. Yes.

21 A. She's an attorney. She's an attorney that  
22 represents the Gap.

23 Q. How long have you known her?

24 A. I have known her about 11 or 12 years.

25 Q. Do you know her in her capacity as a

1 person who represented the Gap or some other  
2 capacity?

3 A. Purely professional, as representing the Gap.

4 Q. Do you know that she was deposed in  
5 this case on Tuesday?

6 A. Yes, I do.

7 Q. Are you familiar with what her  
8 testimony was?

9 A. I reviewed it, yes.

10 Q. Okay. You reviewed a transcript?

11 A. Yes.

12 Q. Have you ever had any conversations  
13 with Denise Campbell concerning the faceouts  
14 involved in this accident?

15 A. Yes.

16 Q. Can you tell me approximately how many  
17 conversations?

18 A. I couldn't tell you how many conversations  
19 I've had.

20 Q. Can you approximate, Fiona?

21 A. I know that I had at least one conversation  
22 with her and probably -- maybe a couple of others,  
23 but I don't know exactly.

24 Q. Do you have a recollection of any other  
25 conversations you had with her?

1           A.       I have a recollection of an initial  
2           conversation I had with her in regards to hiring  
3           her.

4           Q.       Hiring her in this case?

5           A.       Yes.

6           Q.       Did you discuss the faceouts during  
7           that conversation?

8           A.       I don't remember.

9           Q.       Did you discuss the T-stands in that  
10          conversation?

11          A.       I don't remember. I discussed the incident,  
12          I know that, so it probably came up in the  
13          conversation.

14          Q.       Do you have any recollection of any  
15          conversations that you had with Denise about either  
16          the T-stands or the faceouts?

17          MR. PSAK: Object to the form. You can  
18          answer it.

19          MR. FERINGA: Just, also, excuse me,  
20          without attempting to interrupt any longer, a number  
21          of these were gone into at the previous deposition  
22          Miss Arnold, so this was gone over extensively  
23          actually in the last deposition.

24          Were you going to go through the same  
25          thing?



1 MS. ARNOLD: Well, actually, the  
2 questions that I asked her at her first deposition  
3 were general questions about conversations she had.  
4 This was actually my last question, Scott, about  
5 conversations with Denise on specifically the  
6 faceouts and the T-stands. I just want to know what  
7 her recollection is in that regard.

8 MR. FERINGA: I think you did ask  
9 specific conversations about T-stands at various  
10 points in the other deposition and I will certainly  
11 give you some latitude here, because the Court has  
12 allowed this, but I want to indicate that there's  
13 extensive testimony about this already on the  
14 record.

15 MS. ARNOLD: Can she answer the  
16 question?

17 MR. FERINGA: Yes, she can, but she  
18 probably needs it read back because I've now  
19 interrupted her and clearly probably altered the  
20 train of thought. I apologize.

21 MS. ARNOLD: Would you please?

22 A. Yes, could you read that back, please?

23 (Stenographer reads back as requested.)

24 A. I recall it being a part of a conversation,  
25 yes.

1 Q. Do you have a specific recollection of  
2 what was said regarding the T-stands or the faceouts  
3 in that conversation that you recall?

4 A. We discussed removing the T-stands and there  
5 was -- I think there was discussion about the  
6 faceouts as well.

7 Q. When did this conversation take place?

8 A. I don't know the exact date.

9 Q. Do you have a document which would  
10 reflect when that conversation took place?

11 A. No.

12 Q. Did you take notes during that  
13 conversation?

14 A. Yes.

15 Q. Do you have those?

16 A. You're asking me if I have a document with  
17 me, correct?

18 Q. No. I'm asking you if there is a  
19 document that exists which would indicate the date  
20 of that conversation.

21 A. There's probably a documentation in a file  
22 note, yes.

23 Q. And where would that be?

24 A. In our claims system.

25 Q. And is this the conversation that you

1 told me about with Denise where you first hired her?

2 A. Yes.

3 Q. Can you tell me to the best of your  
4 recollection exactly what you said to her about the  
5 T-stands and the faceouts during that conversation?

6 A. I don't remember exactly what I said to her  
7 about it, we didn't know at that time what had  
8 happened. It was a very general conversation.

9 Q. Were there any other conversations that  
10 you had with Denise specifically about the T-stands  
11 or the faceouts?

12 A. Yes, we had communications about that, yes.

13 Q. Can you tell me your recollection of  
14 the next conversation you had with her?

15 A. I believe she had gone to the store and  
16 spoken with people at the store and it was my  
17 understanding that they had preserved the faceouts  
18 and I think the T-stand came later.

19 Q. When did that conversation take place?

20 A. I don't know.

21 Q. Is there a writing?

22 A. I don't remember.

23 Q. Is there a writing, Fiona, which would  
24 tell me what date on which that conversation took  
25 place?

1 A. It's probably documented in the file, yes.

2 Q. Did you take notes during that  
3 conversation?

4 A. Yes.

5 Q. Did you take those notes  
6 contemporaneously with that conversation or did you  
7 write them after the conversation?

8 A. I usually write notes while I'm having a  
9 conversation, but I don't remember having a  
10 conversation that I had with Denise. I know that I  
11 had one initial phone call with her.

12 Q. Did you ever meet her in person about  
13 this case?

14 A. No, I did not.

15 Q. Okay. The conversation that you --  
16 strike that.

17 Do you know who Nada Batres is?

18 A. Yes.

19 Q. Tell me who she is.

20 A. The store manager.

21 Q. She's a store manager now.

22 Is that right?

23 A. I don't know what her title is now.

24 Q. Was she the store manager?

25 A. But I understand her to be --

1 Q. Sorry I interrupted because there was a  
2 delay. I thought you were finished.

3 You thought what?

4 A. I understand that -- I understand that she is  
5 management level in the store.

6 Q. Was she the logistics manager of the  
7 store on the date of the accident?

8 A. I don't know what she was on the date of the  
9 accident.

10 Q. Did you ever talk to her about the  
11 T-stands or the faceouts in connection with this  
12 case?

13 A. No, I did not.

14 Q. Do you know that she was deposed in  
15 this case?

16 A. Yes, I do.

17 Q. Did you review her deposition  
18 testimony?

19 A. Before my first deposition I did, yes.

20 Q. And what's your understanding of her  
21 testimony with regard to the faceouts in this case?

22 MR. FERINGA: I object.

23 MR. PSAK: I object to the form.

24 A. My understanding is -- I'm sorry.

25 MR. PSAK: You could answer it. Go

1 ahead.

2 A. My understanding, if I remember from her  
3 testimony, is that she removed the faceouts from the  
4 T-stand.

5 Q. What's your understanding of what she  
6 did with them after she removed them?

7 A. That she preserved them in the office.

8 Q. Do you know how she preserved them?

9 A. No, I do not.

10 Q. What is your understanding of Denise  
11 Campbell's testimony regarding the T-stands --  
12 strike that -- the faceouts in this case?

13 A. My understanding is that she went to the  
14 store and picked up the faceouts and T-stand.

15 Q. What's your understanding about where  
16 those T-stands and faceouts were stored prior to her  
17 picking them up?

18 A. I believe the faceouts were in a back room  
19 and I believe the T-stand she had removed from the  
20 sales floor.

21 Q. Did you read in Nada Batres' deposition  
22 where she said that she wasn't sure if the faceouts  
23 she gave Denise were the ones she pulled out from  
24 the T-stands on the night of the accident?

25 A. I don't remember that specifically. It's



1 Batres told her that the T-stands she took -- let me  
2 try that one more time.

3 Did Denise ever tell you that Nada  
4 Batres told her that the faceouts she pulled from  
5 the T-stands on the night of the accident were the  
6 same ones she gave her on the day she came to Old  
7 Navy to pick them up?

8 A. I've always understood that the faceouts were  
9 the same ones that she originally pulled, yes.

10 Q. Where did you get that understanding  
11 from?

12 A. From Denise.

13 Q. What did Denise tell you that gave you  
14 that understanding, if anything?

15 A. I don't remember how she told me, I think it  
16 was in the course of a correspondence about her  
17 going to the store.

18 Q. So she sent you a letter or an E-mail  
19 saying she went to the store?

20 A. An E-mail.

21 Q. And do you recall what that E-mail  
22 said?

23 A. No.

24 Q. Do you recall when that E-mail was  
25 sent?



1 A. No, I don't know when it was sent.

2 Q. Did you base your understanding that  
3 the T-stands -- that the faceouts that Nada Batres  
4 gave Denise were the ones she pulled from the  
5 T-stands on the night of the accident from that  
6 E-mail?

7 A. I believe so, probably, yes.

8 Q. I'd like to have that E-mail, please.  
9 Do you have it with you?

10 A. No, I do not.

11 Q. Would you please provide it to your  
12 attorney?

13 MS. ARNOLD: Scott, can you send me  
14 that E-mail?

15 MR. FERINGA: We'll deal with that on  
16 another issue.

17 MS. ARNOLD: Is that a no?

18 MR. FERINGA: I'm not acceding to your  
19 request.

20 MS. ARNOLD: Okay.

21 Q. Are there any other writings between  
22 you and Denise Campbell regarding the T-stands or  
23 the faceouts in this case?

24 A. There's other correspondence between me and  
25 Denise Campbell about the case. I couldn't tell you

1           what they contain with regards to the T-stands and  
2           faceouts.

3                   Q.       That --

4           A.       I don't remember.

5                   Q.       Okay. That E-mail that we were  
6           discussing before, you said you didn't know the date  
7           and you couldn't recall what was in it, but you said  
8           that she sent you an E-mail when she went to pick  
9           them up?

10                   MR. PSAK: Object to the form.

11           A.       I don't know when she sent the E-mail.

12                   Q.       In Nada Batres' deposition, and I'm  
13           referring to page 100 of her first deposition for  
14           the lawyers, she testifies that she was not sure  
15           whether or not the faceouts she gave Denise were the  
16           ones she pulled from the T-stands on the night of  
17           the accident.

18                   Do you remember reading that?

19           A.       Vaguely, yes.

20                   Q.       Okay. In Denise Campbell's deposition  
21           she testified that Nada Batres told her that the  
22           faceouts she pulled from the T-stand on the night of  
23           the accident were the same ones she gave Denise.

24                   Do you remember reading that?

25           A.       Yeah, vaguely, I remember that.

1 Q. Do you know what the truth is?

2 A. No.

3 MR. PSAK: The truth about her  
4 recollection or what these witnesses said? I object  
5 to the form.

6 MS. ARNOLD: Hold on. There's no  
7 question before you, your attorney is just making an  
8 objection.

9 Q. Can you recall any instances where Nada  
10 Batres told you something that was not accurate?

11 MR. PSAK: I object to the form.

12 A. I never talked to Nada.

13 MR. FERINGA: I object.

14 MR. PSAK: What has that got to do with  
15 T-stands and faceouts?

16 Q. Can you recall any instances where  
17 Denise Campbell told you something that was  
18 inaccurate?

19 MR. PSAK: Same objection. It's got to  
20 do with something with T-stands and faceouts to be  
21 proper in this proceeding.

22 MS. ARNOLD: Well, I think, you know  
23 what, we can call the Judge, but I think she made  
24 her ruling clear that you can object to form as to  
25 any question that I ask, but only the privilege is

1           protected and I don't think that if we're talking  
2           about something as general as I'm saying --

3 MR. PSAK: Uh-huh.

4 MS. ARNOLD: -- that this is a  
5 privilege, but if you want to invoke the privilege,  
6 then we'll call the Judge and we'll see what she has  
7 to say.

8 MR. PSAK: No, I'm not invoking the  
9 privilege.

10 MS. ARNOLD: Okay.

11 MR. PSAK: But what I'm saying is that  
12 are you asking her whether Nada or Denise ever lied  
13 to her before any time in her life? Is that the  
14 question?

15 MS. ARNOLD: Well, I didn't use the  
16 word lie. You can read back the question, Terry.

17 MR. PSAK: Well, no, you didn't say lie  
18 but you're -- the implication was that did they ever  
19 tell you something that wasn't the truth?

20 MS. ARNOLD: That's not an implication  
21 and I didn't say "not the truth." I said  
22 inaccurate.

23 MR. PSAK: Inaccurate, okay. Let's  
24 stick with your words.

25 What has that got to do with Denise's

1 possession of faceouts or --

2 MS. ARNOLD: Well, George, I mean, we  
3 have two people saying completely different things.  
4 So if you want to make an objection for the record,  
5 that's fine --

6 MR. PSAK: I made an objection.

7 MS. ARNOLD: -- if you want to call the  
8 Judge -- are you telling her not to answer the  
9 question? That's all I'm asking.

10 MR. PSAK: No, I'm objecting to the  
11 form. She can answer the question, if she's  
12 capable.

13 MS. ARNOLD: Could we read it back,  
14 though, so I can remember what it was?

15 (Stenographer reads back as requested.)

16 A. Told me something? Like called me and told  
17 me something? I don't understand the question.

18 Q. Let me -- let me expand. Can you  
19 recall any instances where Denise Campbell has  
20 communicated to you in any way something that's  
21 inaccurate?

22 MR. PSAK: I object to the form.

23 A. No.

24 Q. Why hasn't Denise Campbell gotten any  
25 new cases from the Gap since she was terminated in

1           this case?

2                       MR. PSAK:   One second.

3                       MR. FERINGA:   That's beyond the scope.

4                       MR. PSAK:   Yeah.

5                       MS. ARNOLD:   Well, the Court said it  
6           wasn't yesterday -- Tuesday, Scott.

7                       MR. PSAK:   No, no.   Let me make an  
8           observation here.   I understand that you're trying  
9           to explore bias, okay, and with respect to Denise  
10          Campbell that may have some bearing whether I agree  
11          with the Judge's ruling or not, but what does the  
12          Gap's decision to either send cases to Denise  
13          Campbell or not have to do with bias of Denise  
14          Campbell?

15                      MS. ARNOLD:   Because if Denise Campbell  
16          knows why she hasn't gotten any new cases, because  
17          maybe it has to do with some kind of animosity, then  
18          that's bias.

19                      MR. PSAK:   Did you ask Denise?   You  
20          did, actually, I thought you did.

21                      MS. ARNOLD:   But I'm allowed to ask her  
22          too.   People tell me all different things in this  
23          case.

24                      MR. PSAK:   Well, here's the deal,  
25          though.   I think that if you're asking a

1 representative of the Gap of their decisions to send  
2 an attorney work, that's privileged, and that's  
3 beyond the waiver that we've given you in this case.  
4 It is much broader with respect to Denise, you know,  
5 and, granted, if you want to explore the bias of  
6 Denise and her testimony, that's fine, but that's  
7 not an issue here.

8 MS. ARNOLD: Well, sure it is.

9 MR. PSAK: How? You're exploring the  
10 bias of Fiona Williams?

11 MS. ARNOLD: No, I want to know why  
12 Denise hasn't gotten new work and if she knows about  
13 why she hasn't gotten new work and, absolutely, that  
14 would go to her bias.

15 MR. FERINGA: That's an -- let me weigh  
16 in on this.

17 MS. ARNOLD: I'm sorry?

18 MR. FERINGA: That's a private  
19 privilege business decision.

20 MS. ARNOLD: You know what --

21 MR. FERINGA: That goes beyond the  
22 scope -- may I finish, please?

23 MS. ARNOLD: Yeah, yeah, yeah. But I'm  
24 going to call the Judge and let the Judge decide.

25 MR. FERINGA: Thank you.

1 I've read what the judge decided with  
2 respect to Denise Campbell. It's completely  
3 different when it comes to Fiona Williams and this  
4 now goes beyond the scope of the inquiry that can be  
5 made to Fiona Williams based upon the judge's order.  
6 That's a privileged private business decision  
7 between counsel and Gap and that is far beyond the  
8 scope of anything here.

9 MS. ARNOLD: Okay. You know, Scott,  
10 you may be right, but I don't agree with you, so  
11 I've a few more questions that I want to ask Fiona,  
12 and then I'll see if I can get the Judge on the  
13 phone to make a determination as regards that  
14 question.

15 MR. PSAK: Okay.

16 MS. ARNOLD: Because I don't want to --  
17 I like to save everything up until the end to call  
18 her because I don't want to keep calling her.

19 MR. PSAK: Absolutely, I agree.

20 MS. ARNOLD: Let's just go off the  
21 record for one second.

22 (Discussion held off the record. Back on the  
23 record.)

24 Q. Fiona, who is Pomeroy Tuttle?

25 A. I believe he's an employee at the store.



1 Q. Do you know when he became an employee  
2 of the store?

3 A. No, I do not.

4 Q. Do you know if it was before or after  
5 Wei Ngai's accident happened?

6 A. I don't know.

7 Q. Have you ever spoken with him about  
8 this case?

9 A. No, I have not.

10 Q. Have you ever spoken with Denise about  
11 him?

12 A. I believe that she told me that she had a  
13 conversation with him at one point.

14 Q. Do you know when she told you that?

15 A. No, I don't remember.

16 Q. Do you know what the conversation was  
17 about?

18 A. No, I don't remember.

19 Q. Do you remember why she told you that  
20 she had a conversation with him?

21 A. I believe she was either at the store or  
22 trying to get in touch with the store and he was  
23 there instead of Dean. I just don't know the facts,  
24 though.

25 Q. Is there any writing which would

1 refresh your recollection regarding that  
2 conversation that you had with her?

3 A. I don't know.

4 Q. Did you take notes during that  
5 conversation?

6 A. I don't know if it was a conversation or an  
7 E-mail. I just remember the names, it was different  
8 names, but I don't remember the context of any  
9 conversations.

10 Q. So it's possible that she didn't tell  
11 you this, but that she E-mailed it to you?

12 MR. PSAK: Objection to the form. You  
13 can answer it.

14 A. It's possible.

15 Q. Would you still have any E-mail that  
16 she sent you regarding Pomeroy Tuttle?

17 A. Regarding him specifically or him -- his name  
18 being in the E-mail?

19 Q. Regarding any --

20 A. I don't know.

21 Q. Regarding anything that she said to you  
22 about her conversation with her.

23 A. If she communicated it to me by E-mail, it  
24 would be in there, yes.

25 Q. Let's look at the May 22nd, 2009,

1 letter, that we marked as Exhibit 2 at Denise's  
2 deposition.

3 A. Is this the letter I need to get?

4 Q. Yeah, yeah, yeah.

5 A. Scott?

6 Q. Yes.

7 A. Let me go get it.

8 Q. Thank you?

9 A. I'll go get it.

10 MS. ARNOLD: You want a copy of that?

11 MR. PSAK: No.

12 A. Okay, I've got it.

13 MR. PSAK: Do you want to mark it as an  
14 exhibit here?

15 MS. ARNOLD: No, unless you think we  
16 should.

17 MR. FERINGA: No, it don't matter to  
18 me.

19 Q. I'm referring to what's been marked P.  
20 CAMPBELL for identification at Denise's deposition,  
21 2.

22 Scott, do you need me to mark this  
23 again here?

24 MR. FERINGA: It should be attached to  
25 this deposition, marked.

1 MS. ARNOLD: Okay. Would you please be  
2 so kind?

3 (Exhibit received and marked P. WILLIAMS-2  
4 for identification.)

5 MR. FERINGA: What's P. WILLIAMS-1?

6 MR. PSAK: That's the documents that I  
7 gave to Miss Arnold this morning about the document  
8 request and the response.

9 MR. FERINGA: Okay. Thanks.

10 MR. PSAK: And I guess while we're  
11 reviewing that, that would be Miss Arnold's letter  
12 of June 3rd of 2009 and I believe the response  
13 totals, everything totals 13 pages.

14 Q. Fiona, did you have any conversations  
15 with Denise regarding her deposition?

16 A. No.

17 Q. When was the last time you spoke to  
18 her?

19 A. The last time I spoke to her, I don't  
20 remember.

21 Q. Was it more than -- strike that.

22 Was it after she stopped being the  
23 Gap's lawyer in this case?

24 A. She's still handles cases for us, so, I hear  
25 from her by E-mail with status reports on current

1 cases.

2 Q. Okay. The question is spoken to her.

3 A. I have not -- I don't remember the last time  
4 I spoke with her.

5 Q. Do you remember if it was after she  
6 stopped being the Gap's attorney in this case?

7 A. I believe I've spoken to her since, yes.

8 Q. Okay. This letter says, we will  
9 compensate you for your time in preparing for and  
10 attending this deposition.

11 How much did you pay her for the time  
12 in preparing for and attending the deposition?

13 MR. FERINGA: Just for the record --

14 A. I don't know.

15 MR. FERINGA: Just hang on, just for  
16 the record, this letter which is marked as P.  
17 WILLIAMS-2 was sent by Jenny Novoa, Senior Director  
18 of Risk Management, to Denise Campbell. There's no  
19 foundation that this witness has participated in  
20 this or made any agreements with Denise Campbell  
21 about her deposition.

22 MS. ARNOLD: That's true, but I just  
23 wanted to see if she knew how much. I'm not  
24 insinuating --

25 MR. FERINGA: Well, that presumes that

1 she --

2 MS. ARNOLD: Hold on, let me just  
3 finish.

4 MR. FERINGA: That presumes --

5 MS. ARNOLD: I'm not insinuating --  
6 hold on, Scott, let me just finish and then you  
7 talk, okay?

8 My question is not insinuating that she  
9 made a contract or that she's responsible to pay  
10 Denise. Maybe I should have rephrased the question.

11 Q. Do you know how much Denise was paid  
12 for her preparation for the deposition?

13 MS. ARNOLD: Is that better.

14 A. No.

15 Q. Did you say no, Fiona?

16 MR. PSAK: She said no.

17 A. I said no, sorry, no.

18 Q. Do you know why she wanted to talk to  
19 you?

20 A. No.

21 Q. See in the second paragraph, last line,  
22 it says, we know that you understand why this cannot  
23 take place.

24 A. Yeah, I see it.

25 Q. Do you know what Jenny Novoa meant when

1 she said that?

2 A. Probably because we're both going to be  
3 deposed, so the conversation would become  
4 discoverable.

5 Q. Okay. I don't have anymore questions  
6 for Fiona except for that -- except for that  
7 question and the one follow-up regarding the cases.  
8 Now, I'd like to suggest that you let me ask her the  
9 question and let her answer it and then we can argue  
10 later on as to whether or not what she tells me is  
11 admissible, I don't think it's anything secret. I  
12 can give you my word that or sign a document that it  
13 won't go outside of this room. I think it's kind of  
14 silly to bother the Judge now over two questions.

15 MR. PSAK: Well --

16 MR. FERINGA: Well, before --

17 MS. ARNOLD: Especially since last --

18 MR. FERINGA: Before we get into  
19 that --

20 MS. ARNOLD: -- last deposition she  
21 ruled that this was a discoverable area, but if you  
22 want to call the Judge, I'm okay with it.

23 MR. PSAK: Well, for us --

24 MR. FERINGA: Before we get into that,  
25 I have some questions that I have of Fiona.

1 MS. ARNOLD: Okay.

2 MR. FERINGA: All right?

3 CROSS EXAMINATION BY MR. FERINGA:

4 Q. Fiona, you have a copy of your  
5 deposition that was taken in October, on October 20  
6 present in front of you, correct?

7 A. Yes.

8 Q. Okay. Will you please turn to page 103  
9 and look at the testimony beginning on line 15?

10 A. Okay.

11 Q. Look at the testimony beginning line 15  
12 through line 25 and at page -- top of 104, lines one  
13 through eight.

14 Do you see that?

15 A. Yes.

16 Q. In answer to one of Miss Arnold's  
17 questions you indicated that there was a question  
18 about preservation of T-stand and faceouts and  
19 having those brought to Miss Arnold's office.

20 Do you remember that series of  
21 questions?

22 A. Yes.

23 Q. Does looking at your deposition help  
24 refresh your recollection as to when that  
25 conversation took place?



1 A. It looks like it took place early October.

2 Q. And does this help refresh your  
3 recollection?

4 A. Yes, it does.

5 Q. Thank you.

6 MR. FERINGA: I have no other  
7 questions.

8 MS. ARNOLD: But it's good to see that  
9 you would rehabilitate a witness in the event you  
10 realize that the testimony given was not quite  
11 accurate.

12 MR. PSAK: Knowing he doesn't have an  
13 obligation to do so.

14 MR. FERINGA: It's nice to see, I have  
15 no obligation to do so at any particular point in  
16 time, Miss Arnold as you well know. I can  
17 rehabilitate a witness at any point in time  
18 according to the rules of evidence.

19 MS. ARNOLD: It's good that you know  
20 that you are able to do that.

21 MR. PSAK: You know, Rosemarie, I  
22 appreciate your willingness to kind of hold in  
23 abeyance the response to the question concerning why  
24 Denise didn't get any new work, but I think for us  
25 to agree to that, we'd have to kind of know what the

1 witness' answer would be before she did it.

2 MS. ARNOLD: Okay. Well, only because,  
3 in my mind I don't know why, I asked Tracy yesterday  
4 to call the Court and I can't remember if she did or  
5 what she told me, is that the Judge might not even  
6 be available and I don't want to have this whole  
7 issue --

8 MR. PSAK: I understand.

9 MS. ARNOLD: -- by getting Fiona, but I  
10 don't mind walking out of the room while you talk  
11 and discuss it amongst yourselves and decide.

12 MR. PSAK: That's exactly it.

13 If you give me 30 seconds to chat with  
14 Fiona, with your permission, because it wouldn't  
15 normally be allowed, perhaps we can do that.

16 MS. ARNOLD: Okay.

17 MR. FERINGA: All right. I would  
18 prefer not to do it on a video conference, which I  
19 consider to be a public entity whether you're in the  
20 room. What I would prefer is we have a telephone  
21 conversation at this juncture and we can do it by --  
22 I can -- we can do it by cell phone. George, I  
23 don't mind if you call Fiona, who has her cell  
24 phone, I believe, there, but I do not want it done  
25 over a video conference.

1 MR. PSAK: Yeah, I understand.

2 MS. ARNOLD: And, obviously, we're not  
3 going to do anything that's going to influence her  
4 answer, right?

5 MR. PSAK: No.

6 MS. ARNOLD: You're just going to ask  
7 her what is your answer to see if it's something you  
8 don't really you have an objection to.

9 MR. PSAK: Yeah, let me -- give me a  
10 few minutes, and what I'll do is I'll make a phone  
11 call to Fiona and to Scott and hopefully we'll have  
12 this resolved within about two, three minutes.

13 MS. ARNOLD: I'm trusting you, Psak.

14 MR. PSAK: Well, if you only have one  
15 question left, right?

16 MS. ARNOLD: One and one follow-up  
17 depending on what the answer is.

18 MR. PSAK: Okay. Okay.

19 MR. FERINGA: George.

20 MR. PSAK: Yeah.

21 MR. FERINGA: I'm back.

22 MS. ARNOLD: Scott, were you talking to  
23 Fiona just then?

24 MR. FERINGA: Yes.

25 MS. ARNOLD: Because I heard you say to

1 her, at one point, what an answer to a question  
2 should be and I don't think that's appropriate.  
3 Also, Scott --

4 MR. FERINGA: I didn't tell her what  
5 the answer should be.

6 MS. ARNOLD: Hold up, let me finish.  
7 This deposition started at 2:45 this afternoon and  
8 during this deposition, I think you accidentally  
9 sent me a text message that was meant to go to Fiona  
10 and I'm going to ask you to please preserve all text  
11 messages that you sent from your phone from 2:45  
12 today until we are speaking right this second,  
13 because I'm going to ask the Court to look at them  
14 to see if you were improperly communicating with  
15 your witness via text messaging during this  
16 deposition, which was court ordered to be in my  
17 office, but as a courtesy to your witness, I  
18 consented to having it done via video conferencing.

19 MR. FERINGA: All right. So what's the  
20 question on the floor?

21 MS. ARNOLD: The question on the floor  
22 is: Do you know why Denise hasn't gotten any new  
23 cases from the Gap since she ceased to be the Gap's  
24 lawyer in this case?

25 MR. PSAK: And I have an objection.

1           A.           Do you want me to answer the question?

2                       MS. ARNOLD:   Only if your lawyer tells  
3           you to.

4                       MR. PSAK:   No, I believe that at that  
5           point we need to invoke the privilege.

6                       MS. ARNOLD:   Okay.   So you're telling  
7           her not to answer the question?

8                       MR. PSAK:   Yes.

9                       MS. ARNOLD:   Okay.   Let's just get the  
10          Judge on the phone.   Before I get the Judge on the  
11          phone, Scott, do you consent to preserving your  
12          messages or should I make that an issue of this  
13          conversation?

14                      MR. FERINGA:   I'll preserve my  
15          messages.   That's fine.

16                      MS. ARNOLD:   Thank you.

17                      (The following is a telephone conference with  
18          Judge Shwartz.)

19                      VOICE:   Good afternoon, Judge Shwartz's  
20          chambers.

21                      MS. ARNOLD:   Good afternoon, this is  
22          Rosemarie Arnold and George Psak.

23                      MR. PSAK:   Okay.

24                      MS. ARNOLD:   In a deposition on Wei  
25          Ngai.   Could we speak to Amin, please?

1 VOICE: Okay. On what matter? Sorry,  
2 I didn't here you.

3 MS. ARNOLD: Wei Ngai.

4 VOICE: Can you spell that for me he.

5 MS. ARNOLD: W-E-I N-G-A-I, or for the  
6 Judge for that matter, if she's available. The last  
7 time we called, Amin fielded the call.

8 VOICE: Okay. All right. Hold on one  
9 moment, please.

10 LAW CLERK: Good afternoon, this is  
11 Amin Abucci, Judge Shwartz's law clerk speaking.

12 Who do I have on the phone, please?

13 MS. ARNOLD: Hi, Amin, it's Rosemarie  
14 Arnold and George Psak is in my office and we have  
15 via video conferencing, Scott Feringa and a witness.

16 We are down to the last two questions.  
17 We saved everything till the end to call the Judge.

18 LAW CLERK: Okay.

19 MS. ARNOLD: And we would like to ask  
20 for a ruling.

21 LAW CLERK: Okay.

22 MS. ARNOLD: On the privilege on this  
23 last question.

24 LAW CLERK: Okay. What's the -- what's  
25 the nature of the privilege asserted?

1 MS. ARNOLD: Let me give you a little  
2 background. Fiona Williams is the claims manager.

3 Is that right, Fiona?

4 THE WITNESS: Yes.

5 MR. PSAK: Yes.

6 MS. ARNOLD: Of the Gap. At her  
7 deposition on Tuesday, Denise Williams --

8 MR. PSAK: Denise Campbell.

9 MS. ARNOLD: Denise Campbell testified  
10 with the Judge on the phone and with the Judge's  
11 permission that she had not received any new cases  
12 from the Gap since the time she was terminated from  
13 this case.

14 LAW CLERK: Uh-huh.

15 MS. ARNOLD: The question to the claims  
16 manager was: Do you know why Denise Campbell hasn't  
17 received any new cases from the Gap since her  
18 termination in this case?

19 LAW CLERK: Okay. And that's been  
20 objected to on privilege grounds, correct?

21 MR. PSAK: Privilege grounds, correct.

22 LAW CLERK: What privilege?

23 MR. PSAK: Attorney-client privilege.

24 LAW CLERK: Attorney-client?

25 MR. PSAK: Yes.

1 LAW CLERK: Okay, thank you. Okay.

2 And you said there were two questions. That was the  
3 first one, right?

4 MS. ARNOLD: Well, the second one  
5 really depends on how the first one gets answered,  
6 you know, then there might be a follow-up or two,  
7 but obviously it would, you know, revolve around  
8 whether the Judge says I could even ask that one.

9 LAW CLERK: Okay. Folks, if you could  
10 just hold on one second for me.

11 MS. ARNOLD: Thank you.

12 LAW CLERK: Thanks. Hi everyone, the  
13 Judge is available, she'll speak with the parties.  
14 I just want to ensure that when she picks up, she'll  
15 be on the record.

16 MS. ARNOLD: We're on the record now,  
17 uh-huh, yes.

18 LAW CLERK: All right, wonderful.  
19 Please hold.

20 JUDGE PATTY SHWARTZ: Good afternoon,  
21 everybody. Who do I have on the phone today?

22 MS. ARNOLD: Good afternoon, Judge.  
23 This Rosemarie Arnold.

24 MR. PSAK: George Psak, and we're on a  
25 video conference and we have Scott Feringa, who is



1 also an attorney for the Gap in Southfield,  
2 Michigan, and the witness, Fiona Williams, in  
3 California.

4 JUDGE PATTY SHWARTZ: Okay. Where is  
5 the reporter?

6 MS. ARNOLD: She's here.

7 MR. PSAK: We're on the record.

8 JUDGE PATTY SHWARTZ: Okay. Could the  
9 reporter hear me okay? Okay.

10 My law clerk told me that there's a  
11 relatively narrow question that you're looking for a  
12 ruling on, so maybe I could have counsel, for the  
13 purposes of the record, tell me what the question is  
14 and then I can hear the objection and then give you  
15 a ruling.

16 MS. ARNOLD: Yesterday your Honor was  
17 on the phone and permitted me to ask Denise Campbell  
18 if she had received any new cases from the Gap since  
19 she was terminated as their lawyer in this case.  
20 The witness is the claims manager for the Gap and I  
21 asked her: Do you know why the Gap hasn't sent  
22 Denise Campbell any new cases since she was  
23 terminated on this case? That's it.

24 JUDGE PATTY SHWARTZ: And that's the  
25 question pending to Miss Williams?

1 MR. PSAK: That's correct.

2 JUDGE PATTY SHWARTZ: Could I hear the  
3 objection?

4 MR. PSAK: The objection is on the  
5 attorney-client privilege, your Honor, because  
6 yesterday when we allowed Miss Williams -- Miss  
7 Campbell to answer that question, even though it  
8 went beyond the scope of the pre-trial order, your  
9 Honor felt it may go to perhaps some bias with  
10 respect to Miss Campbell and her testimony, but the  
11 same situation doesn't exist here. This doesn't  
12 have an impact upon Denise Campbell's testimony.

13 JUDGE PATTY SHWARTZ: The only issue  
14 that struck me in hearing what this is, is whether  
15 or not there would be an objection to this question.

16 MR. PSAK: Right.

17 JUDGE PATTY SHWARTZ: And I'll explain  
18 to you why it is this question may not implicate the  
19 concerns of privilege.

20 MR. PSAK: Right.

21 JUDGE PATTY SHWARTZ: If the question  
22 put to the witness was: Did Miss Campbell's conduct  
23 in this case have any impact on the Gap's decisions  
24 about giving her future work, that's a very narrow  
25 issue.

1 MR. PSAK: Right.

2 JUDGE PATTY SHWARTZ: And I think it  
3 would allow, if there's going to be a follow-up, a  
4 much narrower follow-up that might not implicate  
5 privilege at all or it might be within the scope of  
6 the waiver depending on how the questions go.

7 What is the defendant's position if the  
8 question is phrased that way?

9 MR. PSAK: If the question were to be:  
10 Did Denise Campbell's conduct in the Ngai case  
11 influence your decision not to send her new work?

12 JUDGE PATTY SHWARTZ: Yes.

13 MR. PSAK: Well, again, I think the --  
14 my response is -- is identical, Judge. I believe  
15 that the -- to allow questions in this area goes to  
16 the bias of Denise Campbell, and we haven't  
17 established there's been any communication between  
18 these parties with respect to not getting new work,  
19 and if the Gap, and I don't even know whether this  
20 witness knows the response, but what does the Gap's  
21 frame of mind have to do with the bias of Denise  
22 Campbell?

23 JUDGE PATTY SHWARTZ: It's a slightly  
24 different -- it would take it potentially in a  
25 slightly different direction, not just bias, but if

1 the answer to the question is -- hypothetically is  
2 yes --

3 MR. PSAK: Right.

4 JUDGE PATTY SHWARTZ: -- and the next  
5 question is: Did it have to do -- was the conduct  
6 that caused concern something that dealt with the  
7 possession of the instrument at issue, that I think  
8 could lead to the discovery of admissible evidence  
9 and within the subject matter waiver. That's why I  
10 could see a question in that vein either not being  
11 privileged or alternatively to the extent privileged  
12 within the scope of the waiver.

13 Let me hear from the plaintiff about  
14 your views about the questioning that I'm proposing  
15 and your adversary's position.

16 MS. ARNOLD: Well, your Honor, those  
17 are exactly the follow-up questions that I had  
18 intended to ask. I said to Amin, depending on the  
19 answer to this question, I might have another  
20 follow-up or two, because rather than get into it, I  
21 wanted to ask her if she even knew, because it might  
22 not even be her job to know, that's why I asked her  
23 do you know, and if she said yes, then I was going  
24 to ask her exactly those questions.

25 JUDGE PATTY SHWARTZ: All right. First

1 of all, whether she has knowledge of reasons in and  
2 of itself is not privileged, it would be, it could  
3 be privileged for other -- the subject or  
4 information that constitutes those reasons could be  
5 privileged, but the first question is, if the  
6 question was, in fact, do you know the reason why  
7 Miss Campbell is not receiving work from the Gap  
8 anymore? That's an easy yes or no or it does not  
9 implicate privilege, so I will overrule privilege  
10 objection, if you want to answer that.

11 MR. PSAK: Judge, you should understand  
12 that she actually is currently doing work for the  
13 Gap, but all right. I respect your Honor's ruling  
14 I'm just -- I don't want to get down a slippery  
15 slope here.

16 JUDGE PATTY SHWARTZ: And I understand,  
17 so why don't we ask that limited question first,  
18 Miss Arnold, and then we'll take the next question.

19 MS. ARNOLD: Okay.

20 MR. PSAK: All right.

21 Q. You can answer that question, Miss  
22 Williams.

23 MR. PSAK: Could you repeat the  
24 question for the witness?

25 MS. ARNOLD: Sure.

1 Q. Miss Williams, do you know why Denise  
2 Campbell hasn't gotten any new cases from the Gap  
3 since the time she stopped being their lawyer in  
4 this case?

5 A. I don't know if it's true that she hasn't  
6 gotten new cases since she was removed from this  
7 case.

8 Q. She testified to that on Tuesday.  
9 When you reviewed her transcript, as  
10 you stated you did, did you not see that?

11 A. I did see that. I'm just telling -- I don't  
12 know when the last case I sent her was. I don't  
13 remember --

14 Q. Are you the person that decides --

15 A. -- the date.

16 Q. Are you the person that decides where  
17 the cases get sent as far as lawyers are concerned?

18 A. Yes.

19 Q. Is there a reason why you have not sent  
20 her any new cases since she's been terminated as  
21 your lawyer in this case?

22 MR. PSAK: Well, I object to the form,  
23 I think the witness has answered she's not sure that  
24 that's true.

25 You want her to answer a hypothetical

1 question?

2 MS. ARNOLD: I'm going to ask her one  
3 right now actually.

4 MR. PSAK: Okay, please do.

5 MS. ARNOLD: I'll withdraw that  
6 question.

7 Q. Fiona, in her deposition on Tuesday,  
8 Miss Campbell testified that she has not received  
9 any new cases from the Gap since she was terminated  
10 in this case.

11 Do you know of any case that you sent  
12 her since that time?

13 A. I don't remember the last -- when the last  
14 case I sent her was or whether it was after that  
15 date.

16 Q. Do you remember affirmatively sending  
17 her any cases since the time she was terminated as  
18 the Gap's lawyer in this case?

19 A. I don't even know what that date is, I don't  
20 know.

21 Q. Do you intend on sending her new cases  
22 in the future?

23 MR. PSAK: Objection.

24 JUDGE PATTY SHWARTZ: Sustained.

25 Q. Did Miss Campbell's conduct in this

1 case have anything to do with your intention of  
2 sending her cases in the future?

3 MR. PSAK: Object to the form. Again,  
4 I'm not certain that the Court --

5 MS. ARNOLD: Well, you can object to  
6 the form and I can stand by my question, but you  
7 don't have to make a speaking objection regarding  
8 form.

9 MR. PSAK: No, I'm not trying to make a  
10 speaking objection. I just -- if the witness  
11 understands it, I'll allow it.

12 A. Can you repeat it, please?

13 MR. PSAK: We're going to have the  
14 reporter read it back, Fiona.

15 (Stenographer reads back as requested.)

16 A. I just don't know what you're looking for  
17 here. I actually think I may have sent her a case  
18 afterward, I just don't remember the dates. We use  
19 other attorneys in New Jersey, as in other states.  
20 We don't always consistently send all our cases to  
21 one attorney.

22 Q. So are you telling me, Miss Williams,  
23 that Miss Campbell's conduct in this case is not  
24 going to affect your sending her future cases?

25 MR. PSAK: Objection.



1 JUDGE PATTY SHWARTZ: Sustained.

2 MS. ARNOLD: Your Honor, I'm not sure  
3 why the objection is being sustained, is it on the  
4 privilege?

5 JUDGE PATTY SHWARTZ: Yes, on the  
6 privilege.

7 MS. ARNOLD: Okay.

8 Q. Is it your testimony, Fiona, that you  
9 think you've sent her a case since she was  
10 terminated in this case, a new case?

11 A. I would need to check, but I'm not so sure  
12 that I haven't. I just don't remember the dates.

13 Q. Is there a document which would  
14 indicate whether or not you did?

15 A. Well, yeah, I can look at the date that the  
16 cases were sent to her and I can look at the date  
17 that she was removed from this case.

18 Q. In the event that you have not sent her  
19 a case and she was terminated in this case, does it  
20 have anything to do with her conduct in this case?

21 MR. PSAK: I object to the form.

22 A. I don't even remember how many cases we  
23 received since then in New Jersey.

24 Q. Well, that's not responsive to the  
25 question.

1 Do you want me to repeat the question?

2 A. Please.

3 Q. You told me that you don't know if you  
4 sent her a case since you terminated her in this  
5 case.

6 If it turns out --

7 A. That's correct.

8 Q. -- you check your records and you have  
9 not sent her any cases since she was terminated in  
10 this case, is that because of her conduct in this  
11 case? Yes or no is all you need to answer it.

12 MR. PSAK: I object to the form. You  
13 can answer it.

14 A. No.

15 Q. Okay. That's all then.

16 JUDGE PATTY SHWARTZ: Okay. Everybody,  
17 thanks a lot.

18 MR. PSAK: Thank you, Judge.

19 MS. ARNOLD: Thank you, Judge.

20 JUDGE PATTY SHWARTZ: You're welcome,  
21 bye.

22 (Telephone conference with Judge Shwartz  
23 concluded at this time.)

24 MR. FERINGA: Thank you.

25 MR. PSAK: You're done?

1 MS. ARNOLD: I am.

2 MR. PSAK: Thank you very much.

3 MR. FERINGA: Thanks. Make sure that  
4 the exhibits are attached to all portions all the  
5 transcripts, please. Thank you very much.

6 MR. PSAK: Okay.

7 (Concluded at 3:48 p.m.)

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CERTIFICATE OF OFFICER

I, THERESA L. TIERNAN, A Notary Public and  
Certified Shorthand Reporter of the State of New  
Jersey, do hereby certify that prior to the  
commencement of the examination,

F I O N A W I L L I A M S  
was sworn by me to testify the truth, the whole truth  
and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing  
is a true and correct transcript of the testimony as  
taken stenographically by and before me at the time,  
place and on the date herein before set forth.

I DO FURTHER CERTIFY that I am neither a  
relative nor employee nor attorney nor counsel of any  
of the parties to this action, and that I am neither a  
relative nor employee of such attorney or counsel, and  
that I am not financially interested in the action.

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Notary Public of the State of New Jersey  
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| <p> mail [15] 14/18 14/20 14/21 14/24 15/6 15/8<br/> 15/14 16/5 16/8 16/11 24/7 24/15 24/18<br/> 24/23 26/25<br/> mailed [1] 24/11<br/> make [9] 13/15 19/4 20/7 22/13 33/10 35/12<br/> 46/7 46/9 49/3<br/> making [1] 17/7<br/> management [2] 11/5 27/18<br/> manager [7] 10/20 10/21 10/24 11/6 37/2<br/> 37/16 39/20<br/> many [3] 5/16 5/18 47/22<br/> mark [2] 25/13 25/22<br/> marked [6] 4/1 25/1 25/19 25/25 26/3 27/16<br/> matter [4] 25/17 36/1 36/6 42/9<br/> may [7] 20/10 21/22 22/10 24/25 40/9 40/18<br/> 46/17<br/> maybe [4] 5/22 20/17 28/10 39/12<br/> me [56]<br/> mean [1] 19/2<br/> meant [2] 28/25 34/9<br/> meet [1] 10/12<br/> message [1] 34/9<br/> messages [3] 34/11 35/12 35/15<br/> messaging [1] 34/15<br/> MI [1] 2/9<br/> MICHIGAN [2] 1/20 39/2<br/> MIDDLESEX [1] 2/14<br/> might [6] 32/5 38/6 41/4 41/5 42/19 42/21<br/> mind [4] 32/3 32/10 32/23 41/21<br/> minutes [2] 33/10 33/12<br/> Miss [19] 6/22 26/7 26/11 30/16 30/19 31/16<br/> 39/25 40/6 40/6 40/10 40/22 43/7 43/18<br/> 43/21 44/1 45/8 45/25 46/22 46/23<br/> misspoke [1] 13/13<br/> moment [1] 36/9<br/> more [3] 14/2 22/11 26/21<br/> morning [3] 4/7 4/8 26/7<br/> MR [2] 3/6 30/3<br/> MS [2] 3/5 4/6<br/> much [7] 21/4 27/11 27/23 28/11 41/4 49/2<br/> 49/5<br/> my [16] 7/4 9/16 11/19 11/24 12/2 12/13<br/> 13/6 28/8 29/12 32/3 34/16 35/14 36/14<br/> 39/10 41/14 46/6 </p> | <p> 33/5 35/4 43/8 46/9 48/11 48/14 50/21<br/> normally [1] 32/15<br/> NORTHWESTERN [1] 2/9<br/> not [56]<br/> Notary [4] 1/14 4/5 50/2 50/20<br/> note [1] 8/22<br/> notes [6] 1/13 8/12 10/2 10/5 10/8 24/4<br/> nothing [1] 50/8<br/> Novoa [2] 27/17 28/25<br/> now [8] 7/18 10/21 10/23 22/4 29/8 29/14<br/> 38/16 45/3<br/> number [2] 3/8 6/20 </p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p> perhaps [2] 32/15 40/9<br/> permission [2] 32/14 37/11<br/> permitted [1] 30/17<br/> person [4] 5/1 10/12 44/14 44/16<br/> phone [12] 10/11 22/13 32/22 32/24 33/10<br/> 34/11 35/10 35/11 36/12 37/10 38/21 39/17<br/> phrased [1] 41/8<br/> PIASECKI [1] 2/12<br/> pick [2] 14/7 16/8<br/> picked [1] 12/14<br/> picking [1] 12/17<br/> picks [1] 38/14<br/> place [9] 1/18 8/7 8/10 9/19 9/25 28/23<br/> 30/25 31/1 50/12<br/> plaintiff [1] 42/13<br/> Plaintiffs [2] 1/5 2/5<br/> please [16] 7/21 7/22 15/8 15/11 21/22 26/1<br/> 30/8 34/10 35/25 36/9 36/12 38/19 45/4<br/> 46/12 48/2 49/5<br/> point [5] 23/13 31/15 31/17 34/1 35/5<br/> points [1] 7/10<br/> Pomeroy [2] 22/24 24/16<br/> portions [1] 49/4<br/> position [2] 41/7 42/15<br/> possession [2] 19/1 42/7<br/> possible [2] 24/10 24/14<br/> potentially [1] 41/24<br/> pre [1] 40/8<br/> pre-trial [1] 40/8<br/> prefer [2] 32/18 32/20<br/> preparation [2] 13/2 28/12<br/> preparing [2] 27/9 27/12<br/> present [1] 30/6<br/> preservation [1] 30/18<br/> preserve [2] 34/10 35/14<br/> preserved [3] 9/17 12/7 12/8<br/> preserving [1] 35/11<br/> presumes [2] 27/25 28/4<br/> previous [1] 6/21<br/> prior [2] 12/16 50/4<br/> private [2] 21/18 22/6<br/> privilege [19] 17/25 18/5 18/5 18/9 21/19<br/> 35/5 36/22 36/25 37/20 37/21 37/22 37/23<br/> 40/5 40/19 41/5 43/9 43/9 47/4 47/6<br/> privileged [7] 21/2 22/6 42/11 42/11 43/2<br/> 43/3 43/5<br/> probably [8] 5/22 6/12 7/18 7/19 8/21 10/1<br/> 15/7 29/2<br/> proceeding [1] 17/21<br/> professional [1] 5/3<br/> proper [1] 17/21<br/> proposing [1] 42/14<br/> protected [1] 18/1<br/> provide [1] 15/11<br/> PSAK [6] 2/12 2/13 33/13 35/22 36/14 38/24<br/> PSAKLAW.COM [1] 2/14<br/> public [4] 1/14 32/19 50/2 50/20<br/> pulled [7] 12/23 13/18 14/4 14/9 15/4 16/16<br/> 16/22<br/> Purely [1] 5/3<br/> purposes [1] 39/13<br/> put [1] 40/22 </p> |
| <p> N<br/> N-G-A-I [1] 36/5<br/> Nada [12] 10/17 12/21 13/7 13/16 13/25<br/> 14/3 15/3 16/12 16/21 17/9 17/12 18/12<br/> name [1] 24/17<br/> names [2] 24/7 24/8<br/> narrow [2] 39/11 40/24<br/> narrower [1] 41/4<br/> nature [1] 36/25<br/> NAVY [4] 1/7 2/10 2/15 14/7<br/> need [6] 4/12 25/3 25/22 35/5 47/11 48/11<br/> needs [1] 7/18<br/> neither [2] 50/13 50/15<br/> never [1] 17/12<br/> new [28] 1/1 1/14 1/16 1/24 2/4 2/14 19/25<br/> 20/16 21/12 21/13 31/24 34/22 37/11 37/17<br/> 39/18 39/22 41/11 41/18 44/2 44/6 44/20<br/> 45/9 45/21 46/19 47/10 47/23 50/3 50/20<br/> next [3] 9/14 42/4 43/18<br/> NGAI [5] 1/3 1/4 35/25 36/3 41/10<br/> Ngai's [1] 23/5<br/> nice [1] 31/14<br/> night [7] 12/24 13/9 13/23 14/5 15/5 16/16<br/> 16/22<br/> no [44] 1/2 4/13 8/11 8/18 10/14 11/13 12/9<br/> 14/23 15/1 15/10 15/17 17/2 17/6 18/8 18/17<br/> 19/10 19/23 20/7 20/7 21/11 23/3 23/9 23/15<br/> 23/18 25/11 25/15 25/17 26/16 27/18 28/14 </p>                                                                                                                                                                                                                                                                                                                                                                                                                         | <p> O<br/> object [14] 6/17 11/22 11/23 16/10 17/4<br/> 17/11 17/13 17/24 19/22 44/22 46/3 46/5<br/> 47/21 48/12<br/> objected [1] 37/20<br/> objecting [1] 19/10<br/> objection [17] 17/8 17/19 19/4 19/6 24/12<br/> 33/8 34/25 39/14 40/3 40/4 40/15 43/10<br/> 45/23 46/7 46/10 46/25 47/3<br/> obligation [2] 31/13 31/15<br/> observation [1] 20/8<br/> obviously [2] 33/2 38/7<br/> October [3] 30/5 30/5 31/1<br/> October 20 [1] 30/5<br/> off [2] 22/20 22/22<br/> office [4] 12/7 30/19 34/17 36/14<br/> OFFICER [1] 50/1<br/> offices [2] 1/15 2/3<br/> okay [48] 4/14 5/10 10/15 15/20 16/5 16/20<br/> 18/10 18/23 20/9 22/9 22/15 25/12 26/1 26/9<br/> 27/2 27/8 28/7 29/5 29/22 30/1 30/8 30/10<br/> 32/2 32/16 33/18 33/18 35/6 35/9 35/23 36/1<br/> 36/8 36/18 36/21 36/24 37/19 38/1 38/1 38/9<br/> 39/4 39/8 39/9 39/9 43/19 45/4 47/7 48/15<br/> 48/16 49/6<br/> OLD [4] 1/7 2/10 2/15 14/6<br/> once [1] 4/9<br/> one [21] 5/21 10/11 14/2 20/2 22/21 23/13<br/> 29/7 30/12 30/16 33/14 33/16 33/16 34/1<br/> 36/8 38/3 38/4 38/5 38/8 38/10 45/2 46/21<br/> ones [8] 12/23 13/9 13/19 14/6 14/9 15/4<br/> 16/16 16/23<br/> only [5] 17/25 32/2 33/14 35/2 40/13<br/> order [2] 22/5 40/8<br/> ordered [1] 34/16<br/> originally [1] 14/9<br/> other [10] 5/1 5/24 7/10 9/9 15/21 15/24<br/> 31/6 43/3 46/19 46/19<br/> others [1] 5/22<br/> our [2] 8/24 46/20<br/> out [3] 12/23 32/10 48/6<br/> outside [1] 29/13<br/> over [3] 6/22 29/14 32/25<br/> overrule [1] 43/9 </p> | <p> Q<br/> question [50] 7/4 7/16 13/13 17/7 17/25<br/> 18/14 18/16 19/9 19/11 19/17 22/14 27/2<br/> 28/8 28/10 29/7 29/9 30/17 31/23 33/15 34/1<br/> 34/20 34/21 35/1 35/7 36/23 37/15 39/11<br/> 39/13 39/25 40/7 40/15 40/18 40/21 41/8<br/> 41/9 42/1 42/5 42/10 42/19 43/5 43/6 43/17<br/> 43/18 43/21 43/24 45/1 45/6 46/6 47/25 48/1<br/> questioning [1] 42/14<br/> questions [15] 7/2 7/3 22/11 29/5 29/14<br/> 29/25 30/17 30/21 31/7 36/16 38/2 41/6 </p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



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| <p> <a href="#">Questions 2-3</a> 41/15 42/17 42/24<br/> <a href="#">quite</a> [1] 31/10<br/> <b>R</b><br/> <a href="#">rather</a> [1] 42/20<br/> <a href="#">read</a> [8] 7/18 7/22 12/21 13/1 18/16 19/13 22/1 46/14<br/> <a href="#">reading</a> [2] 16/18 16/24<br/> <a href="#">reads</a> [3] 7/23 19/15 46/15<br/> <a href="#">realize</a> [1] 31/10<br/> <a href="#">really</a> [2] 33/8 38/5<br/> <a href="#">reason</a> [2] 43/6 44/19<br/> <a href="#">reasons</a> [2] 43/1 43/4<br/> <a href="#">REC</a> [1] 3/2<br/> <a href="#">recall</a> [8] 7/24 8/3 14/21 14/24 16/7 17/9 17/16 19/19<br/> <a href="#">received</a> [7] 4/1 26/3 37/11 37/17 39/18 45/8 47/23<br/> <a href="#">receiving</a> [1] 43/7<br/> <a href="#">recollection</a> [11] 5/24 6/1 6/14 7/7 8/1 9/4 9/13 17/4 24/1 30/24 31/3<br/> <a href="#">record</a> [12] 4/17 7/14 19/4 22/21 22/22 22/23 27/13 27/16 38/15 38/16 39/7 39/13<br/> <a href="#">records</a> [1] 48/8<br/> <a href="#">RED</a> [1] 3/2<br/> <a href="#">referring</a> [2] 16/13 25/19<br/> <a href="#">reflect</a> [1] 8/10<br/> <a href="#">refresh</a> [3] 24/1 30/24 31/2<br/> <a href="#">regard</a> [2] 7/7 11/21<br/> <a href="#">regarding</a> [11] 8/2 12/11 15/22 24/1 24/16 24/17 24/19 24/21 26/15 29/7 46/7<br/> <a href="#">regards</a> [3] 6/2 16/1 22/13<br/> <a href="#">rehabilitate</a> [2] 31/9 31/17<br/> <a href="#">relative</a> [2] 50/14 50/16<br/> <a href="#">relatively</a> [1] 39/11<br/> <a href="#">remember</a> [30] 6/8 6/11 9/6 9/22 10/9 12/2 12/25 13/21 14/15 16/4 16/18 16/24 16/25 19/14 23/15 23/18 23/19 24/7 24/8 26/20 27/3 27/5 30/20 32/4 44/13 45/13 45/16 46/18 47/12 47/22<br/> <a href="#">removed</a> [7] 12/3 12/6 12/19 13/8 13/11 44/6 47/17<br/> <a href="#">removing</a> [1] 8/4<br/> <a href="#">repeat</a> [5] 4/12 13/13 43/23 46/12 48/1<br/> <a href="#">rephrased</a> [1] 28/10<br/> <a href="#">reporter</a> [5] 1/14 39/5 39/9 46/14 50/3<br/> <a href="#">REPORTERS</a> [1] 1/23<br/> <a href="#">reports</a> [1] 26/25<br/> <a href="#">representative</a> [1] 21/1<br/> <a href="#">represented</a> [1] 5/1<br/> <a href="#">representing</a> [1] 5/3<br/> <a href="#">represents</a> [1] 4/22<br/> <a href="#">request</a> [3] 3/9 15/19 26/8<br/> <a href="#">requested</a> [3] 7/23 19/15 46/15<br/> <a href="#">resolved</a> [1] 33/12<br/> <a href="#">respect</a> [7] 4/10 20/9 21/4 22/2 40/10 41/18 43/13<br/> <a href="#">response</a> [6] 3/9 26/8 26/12 31/23 41/14 41/20<br/> <a href="#">responsible</a> [1] 28/9<br/> <a href="#">responsive</a> [1] 47/24<br/> <a href="#">review</a> [3] 11/17 13/2 13/5<br/> <a href="#">reviewed</a> [3] 5/9 5/10 44/9<br/> <a href="#">reviewing</a> [1] 26/11<br/> <a href="#">revolve</a> [1] 38/7<br/> <a href="#">right</a> [20] 10/22 22/10 30/2 32/17 33/4 33/15 34/12 34/19 36/8 37/3 38/3 38/18 40/16 40/20 41/1 42/3 42/25 43/13 43/20 45/3<br/> <a href="#">Risk</a> [1] 27/18<br/> <a href="#">ROAD</a> [1] 4/3<br/> <a href="#">ROCKLAND</a> [1] 4/4<br/> <a href="#">room</a> [4] 12/18 29/13 32/10 32/20<br/> <a href="#">ROOSEVELT</a> [1] 1/18 </p> | <p> 36/13 38/23<br/> ROSEMARIEARNOLD.COM [1] 2/5<br/> <a href="#">rough</a> [1] 13/6<br/> <a href="#">ruled</a> [1] 29/21<br/> <a href="#">rules</a> [1] 31/18<br/> <a href="#">ruling</a> [6] 17/24 20/11 36/20 39/12 39/15 43/13<br/> <b>S</b><br/> <a href="#">said</a> [18] 8/2 9/4 9/6 12/22 13/12 14/22 16/6 16/7 17/4 18/21 20/5 24/21 28/16 28/17 29/1 38/2 42/18 42/23<br/> <a href="#">sales</a> [1] 12/20<br/> <a href="#">same</a> [8] 6/24 13/9 13/19 14/6 14/9 16/23 17/19 40/11<br/> <a href="#">save</a> [1] 22/17<br/> <a href="#">saved</a> [1] 36/17<br/> <a href="#">say</a> [5] 18/7 18/17 18/21 28/15 33/25<br/> <a href="#">saying</a> [4] 14/19 18/2 18/11 19/3<br/> <a href="#">says</a> [3] 27/8 28/22 38/8<br/> <a href="#">scope</a> [7] 20/3 21/22 22/4 22/8 40/8 41/5 42/12<br/> <a href="#">SCOTT</a> [15] 1/19 2/8 7/4 15/13 20/6 22/9 25/5 25/22 28/6 33/11 33/22 34/3 35/11 36/15 38/25<br/> <a href="#">second</a> [6] 20/2 22/21 28/21 34/12 38/4 38/10<br/> <a href="#">seconds</a> [1] 32/13<br/> <a href="#">secret</a> [1] 29/11<br/> <a href="#">see</a> [13] 18/6 22/12 27/23 28/21 28/24 30/14 31/8 31/14 33/7 34/14 42/10 44/10 44/11<br/> <a href="#">send</a> [5] 15/13 20/12 21/1 41/11 46/20<br/> <a href="#">sending</a> [4] 45/16 45/21 46/2 46/24<br/> <a href="#">Senior</a> [1] 27/17<br/> <a href="#">sent</a> [21] 14/18 14/25 15/1 16/8 16/11 24/16 27/17 34/9 34/11 39/21 44/12 44/17 44/19 45/11 45/14 46/17 47/9 47/16 47/18 48/4 48/9<br/> <a href="#">series</a> [1] 30/20<br/> <a href="#">set</a> [1] 50/12<br/> <a href="#">SFERINGA</a> [1] 2/10<br/> <a href="#">she</a> [106]<br/> <a href="#">she'll</a> [2] 38/13 38/14<br/> <a href="#">she's</a> [10] 4/21 4/21 10/21 19/11 26/24 28/9 36/6 39/6 44/20 44/23<br/> <a href="#">Shorthand</a> [2] 1/13 50/3<br/> <a href="#">should</a> [7] 25/16 25/24 28/10 34/2 34/5 35/12 43/11<br/> <a href="#">Shwartz</a> [2] 35/18 48/22<br/> <a href="#">Shwartz's</a> [2] 35/19 36/11<br/> <a href="#">sign</a> [1] 29/12<br/> <a href="#">silly</a> [1] 29/14<br/> <a href="#">since</a> [19] 13/1 19/25 27/7 29/17 34/23 37/12 37/17 39/18 39/22 44/3 44/6 44/20 45/9 45/12 45/17 47/9 47/23 48/4 48/9<br/> <a href="#">situation</a> [1] 40/11<br/> <a href="#">slightly</a> [2] 41/23 41/25<br/> <a href="#">slippery</a> [1] 43/14<br/> <a href="#">slope</a> [1] 43/15<br/> <a href="#">so</a> [20] 6/12 6/22 14/18 15/7 19/4 19/14 22/10 24/10 26/2 26/24 29/3 31/13 31/15 34/19 35/6 39/12 43/9 43/17 46/22 47/11<br/> <a href="#">some</a> [6] 5/1 7/11 20/10 20/17 29/25 40/9<br/> <a href="#">something</a> [10] 17/10 17/17 17/20 18/2 18/19 19/16 19/17 19/20 33/7 42/6<br/> <a href="#">sorry</a> [6] 4/9 11/1 11/24 21/17 28/17 36/1<br/> <a href="#">SOUTHFIELD</a> [3] 1/20 2/9 39/1<br/> <a href="#">speak</a> [2] 35/25 38/13<br/> <a href="#">speaking</a> [4] 34/12 36/11 46/7 46/10<br/> <a href="#">specific</a> [2] 7/9 8/1<br/> <a href="#">specifically</a> [4] 7/5 9/10 12/25 24/17<br/> <a href="#">spell</a> [1] 36/4<br/> <a href="#">spoke</a> [3] 26/17 26/19 27/4<br/> <a href="#">spoken</a> [5] 9/16 23/7 23/10 27/2 27/7 </p> | <p> 46/6<br/> <a href="#">stands</a> [25] 6/9 6/16 7/6 7/9 8/2 8/4 9/5 9/10 11/1 12/11 12/16 12/22 13/8 13/12 13/18 13/23 14/1 14/5 15/3 15/5 15/22 16/1 16/16 17/15 17/20<br/> <a href="#">started</a> [1] 34/7<br/> <a href="#">State</a> [3] 1/14 50/3 50/20<br/> <a href="#">stated</a> [1] 44/10<br/> <a href="#">states</a> [2] 1/1 46/19<br/> <a href="#">status</a> [1] 26/25<br/> <a href="#">Stenographer</a> [3] 7/23 19/15 46/15<br/> <a href="#">stenographic</a> [1] 1/12<br/> <a href="#">stenographically</a> [1] 50/11<br/> <a href="#">stick</a> [1] 18/24<br/> <a href="#">still</a> [2] 24/15 26/24<br/> <a href="#">stopped</a> [3] 26/22 27/6 44/3<br/> <a href="#">store</a> [14] 9/15 9/16 10/20 10/21 10/24 11/5 11/7 12/14 14/17 14/19 22/25 23/2 23/21 23/22<br/> <a href="#">stored</a> [1] 12/16<br/> <a href="#">strike</a> [4] 10/16 12/12 13/24 26/21<br/> <a href="#">struck</a> [1] 40/14<br/> <a href="#">subject</a> [2] 42/9 43/3<br/> <a href="#">subsidiary</a> [1] 1/7<br/> <a href="#">such</a> [1] 50/16<br/> <a href="#">suggest</a> [1] 29/8<br/> <a href="#">SUITE</a> [1] 1/20<br/> <a href="#">SULLIVAN</a> [1] 2/7<br/> <a href="#">sure</a> [9] 12/22 13/17 16/14 21/8 43/25 44/23 47/2 47/11 49/3<br/> <a href="#">sustained</a> [3] 45/24 47/1 47/3<br/> <a href="#">SWAPPC.COM</a> [1] 2/10<br/> <a href="#">sworn</a> [2] 4/4 50/7<br/> <a href="#">system</a> [1] 8/24<br/> <b>T</b><br/> <a href="#">T-stand</a> [6] 9/18 12/4 12/14 12/19 16/22 30/18<br/> <a href="#">T-stands</a> [25] 6/9 6/16 7/6 7/9 8/2 8/4 9/5 9/10 11/11 12/11 12/16 12/24 13/8 13/11 13/18 13/23 14/1 14/5 15/3 15/5 15/22 16/1 16/16 17/15 17/20<br/> <a href="#">take</a> [9] 8/7 8/12 9/19 10/2 10/5 24/4 28/23 41/24 43/18<br/> <a href="#">taken</a> [3] 1/15 30/5 50/11<br/> <a href="#">TAKING</a> [1] 1/18<br/> <a href="#">talk</a> [4] 11/10 28/7 28/18 32/10<br/> <a href="#">talked</a> [1] 17/12<br/> <a href="#">talking</a> [2] 18/1 33/22<br/> <a href="#">TELECONFERENCE</a> [2] 1/17 1/19<br/> <a href="#">TELEGRAPH</a> [1] 1/20<br/> <a href="#">telephone</a> [3] 32/20 35/17 48/22<br/> <a href="#">tell</a> [20] 4/17 4/19 5/16 5/18 9/3 9/13 9/24 10/19 13/7 13/16 13/22 13/25 14/3 14/13 15/25 18/19 20/22 24/10 34/4 39/13<br/> <a href="#">telling</a> [4] 19/8 35/6 44/11 46/22<br/> <a href="#">tells</a> [2] 29/10 35/2<br/> <a href="#">terminated</a> [11] 19/25 37/12 39/19 39/23 44/20 45/9 45/17 47/10 47/19 48/4 48/9<br/> <a href="#">termination</a> [1] 37/18<br/> <a href="#">Terry</a> [1] 18/16<br/> <a href="#">testified</a> [4] 16/21 37/9 44/8 45/8<br/> <a href="#">testifies</a> [2] 4/5 16/14<br/> <a href="#">testify</a> [1] 50/7<br/> <a href="#">testimony</a> [14] 5/8 7/13 11/18 11/21 12/3 12/11 21/6 30/9 30/11 31/10 40/10 40/12 47/8 50/10<br/> <a href="#">text</a> [3] 34/9 34/10 34/15<br/> <a href="#">than</a> [2] 26/21 42/20<br/> <a href="#">thank</a> [11] 21/25 25/8 31/5 35/16 38/1 38/11 48/18 48/19 48/24 49/2 49/5<br/> <a href="#">thanks</a> [4] 26/9 38/12 48/17 49/3<br/> <a href="#">that</a> [208]<br/> <a href="#">that's</a> [32] 13/20 18/20 19/5 19/9 19/20 20/3 </p> |
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| <p>that's [26] 20/18 21/2 21/2 21/6 21/6<br/> 21/15 21/18 22/6 26/6 27/22 32/12 33/3 34/2<br/> 35/15 37/19 39/23 39/24 40/1 40/24 42/9<br/> 42/22 43/8 44/24 47/24 48/7 48/15<br/> their [3] 21/1 39/19 44/3<br/> them [10] 4/12 10/7 12/6 12/6 12/7 12/8<br/> 12/17 14/7 16/9 34/13<br/> then [13] 18/6 20/17 22/12 28/6 29/9 33/23<br/> 38/6 39/14 39/14 42/23 43/18 47/23 48/15<br/> there [18] 8/4 8/5 8/18 9/9 9/21 9/23 11/1<br/> 15/21 23/23 23/25 24/24 30/17 32/24 38/2<br/> 38/6 40/15 44/19 47/13<br/> there's [8] 7/12 8/21 15/24 17/6 27/18 39/10<br/> 41/3 41/17<br/> THERESA [3] 1/13 1/23 50/2<br/> these [3] 6/21 17/4 41/18<br/> they [3] 9/17 16/1 18/18<br/> thing [1] 6/25<br/> things [2] 19/3 20/22<br/> think [20] 7/8 8/5 9/18 14/15 17/22 17/23<br/> 18/1 20/25 25/15 29/11 29/13 31/24 34/2<br/> 34/8 41/2 41/13 42/7 44/23 46/17 47/9<br/> this [81]<br/> those [7] 8/15 10/5 12/16 30/19 42/16 42/24<br/> 43/4<br/> though [4] 19/14 20/25 23/24 40/7<br/> thought [4] 7/20 11/2 11/3 20/20<br/> three [1] 33/12<br/> through [5] 1/8 1/9 6/24 30/12 30/13<br/> THURSDAY [1] 1/16<br/> TIERNAN [3] 1/13 1/23 50/2<br/> till [1] 36/17<br/> time [18] 9/7 13/1 14/2 18/13 26/17 26/19<br/> 27/3 27/9 27/11 31/16 31/17 36/7 37/12 44/3<br/> 45/12 45/17 48/23 50/11<br/> title [1] 10/23<br/> TLC102462 [1] 1/25<br/> today [3] 13/3 34/12 38/21<br/> told [18] 9/1 13/8 13/17 13/20 14/1 14/4<br/> 14/15 16/21 17/10 17/17 19/16 19/16 23/12<br/> 23/14 23/19 32/5 39/10 48/3<br/> too [1] 20/22<br/> took [6] 8/10 9/24 13/23 14/1 30/25 31/1<br/> top [1] 30/12<br/> totals [2] 26/13 26/13<br/> touch [1] 23/22<br/> Tracy [1] 32/3<br/> train [1] 7/20<br/> TRAN [2] 1/3 1/4<br/> transcript [5] 5/10 13/1 13/6 44/9 50/10<br/> transcripts [1] 49/5<br/> trial [1] 40/8<br/> true [4] 27/22 44/5 44/24 50/10<br/> trusting [1] 33/13<br/> truth [7] 17/1 17/3 18/19 18/21 50/7 50/7<br/> 50/8<br/> try [1] 14/2<br/> trying [3] 20/8 23/22 46/9<br/> Tuesday [5] 5/5 20/6 37/7 44/8 45/7<br/> turn [1] 30/8<br/> turns [1] 48/6<br/> Tuttle [2] 22/24 24/16<br/> two [8] 1/9 19/3 29/14 33/12 36/16 38/2<br/> 38/6 42/20</p> | <p>UNITED [1] 2/13<br/> UNITED [1] 1/1<br/> unless [1] 25/15<br/> until [2] 22/17 34/12<br/> up [15] 6/12 12/14 12/17 14/7 16/9 22/17<br/> 29/7 33/16 34/6 38/6 38/14 41/3 41/4 42/17<br/> 42/20<br/> upon [2] 22/5 40/12<br/> us [3] 26/24 29/23 31/24<br/> use [2] 18/15 46/18<br/> usually [1] 10/8</p> <p><b>V</b></p> <p>vaguely [2] 16/19 16/25<br/> various [1] 7/9<br/> vein [1] 42/10<br/> very [4] 9/8 40/24 49/2 49/5<br/> via [3] 34/15 34/18 36/15<br/> video [5] 32/18 32/25 34/18 36/15 38/25<br/> views [1] 42/14</p> <p><b>W</b></p> <p>W-E-I [1] 36/5<br/> waiver [4] 21/3 41/6 42/9 42/12<br/> WALDWICK [1] 1/24<br/> walking [1] 32/10<br/> want [21] 7/6 7/12 18/5 19/4 19/7 21/5<br/> 21/11 22/11 22/16 22/18 25/10 25/13 29/22<br/> 32/6 32/24 35/1 38/14 43/10 43/14 44/25<br/> 48/1<br/> wanted [3] 27/23 28/18 42/21<br/> WARD [1] 2/7<br/> was [64]<br/> wasn't [3] 12/22 18/19 20/6<br/> way [2] 19/20 41/8<br/> we [33] 8/4 9/7 9/12 16/5 17/23 19/2 19/13<br/> 25/1 25/15 27/8 28/22 29/9 29/18 29/24<br/> 32/15 32/20 32/21 32/22 34/12 35/5 35/25<br/> 36/7 36/14 36/16 36/17 36/19 38/25 40/6<br/> 41/16 43/17 46/18 46/20 47/22<br/> we'd [1] 31/25<br/> we'll [5] 15/15 18/6 18/6 33/11 43/18<br/> we're [8] 18/1 26/10 29/2 33/2 38/16 38/24<br/> 39/7 46/13<br/> we've [1] 21/3<br/> WEI [4] 1/3 23/5 35/24 36/3<br/> weigh [1] 21/15<br/> welcome [1] 48/20<br/> well [23] 7/1 8/6 17/22 18/15 18/17 19/2<br/> 20/5 20/24 21/8 27/25 29/15 29/16 29/23<br/> 31/16 32/2 33/14 38/4 41/13 42/16 44/22<br/> 46/5 47/15 47/24<br/> went [4] 12/13 14/19 16/8 40/8<br/> were [21] 6/21 6/24 7/3 9/9 11/2 12/16<br/> 12/18 12/23 13/9 13/19 14/5 14/8 15/4 16/5<br/> 16/15 16/23 33/22 34/14 38/2 41/9 47/16<br/> 11/3 11/8 12/5 12/10 13/5 13/20 14/13 14/21<br/> 16/1 16/7 17/1 17/4 17/14 17/23 18/6 18/11<br/> 18/25 19/14 20/11 21/20 22/1 23/16 28/25<br/> 29/10 31/25 32/5 32/20 33/7 33/10 33/17<br/> 34/1 34/4 36/1 37/22 39/13 40/14 41/7 41/20<br/> 45/19 46/16<br/> what's [8] 11/20 12/5 12/15 25/19 26/5<br/> 34/19 36/24 36/24<br/> when [18] 8/7 8/10 9/19 14/24 15/1 16/8<br/> 16/11 22/3 23/1 23/14 26/17 28/25 30/24<br/> 38/14 40/6 44/9 44/12 45/13<br/> where [10] 8/23 9/1 12/15 12/22 14/10 17/9<br/> 17/16 19/19 39/4 44/16<br/> whether [11] 16/15 18/12 20/10 29/10 32/19<br/> 38/8 40/14 41/19 43/1 45/14 47/14<br/> which [9] 8/9 8/19 9/23 9/24 23/25 27/16<br/> 32/18 34/16 47/13</p> | <p>WHITE LAW [1] 2/12<br/> who [11] 4/14 4/17 4/19 5/1 10/17 10/19<br/> 22/4 32/3 36/12 38/25 724<br/> whole [2] 32/6 50/7<br/> why [20] 19/24 20/16 21/11 21/13 23/19<br/> 28/18 28/22 31/23 32/3 34/22 37/16 39/21<br/> 40/18 42/9 42/22 43/6 43/17 44/1 44/19 47/3<br/> will [4] 7/10 27/8 30/8 43/9<br/> WILLIAMS [19] 1/6 3/4 3/9 3/10 4/1 21/10<br/> 22/3 22/5 26/3 26/5 27/17 37/2 37/7 39/2<br/> 39/25 40/6 43/22 44/1 46/22<br/> WILLIAMS-1 [3] 3/9 4/1 26/5<br/> WILLIAMS-2 [3] 3/10 26/3 27/17<br/> willingness [1] 31/22<br/> withdraw [1] 45/5<br/> within [4] 33/12 41/5 42/9 42/12<br/> without [1] 6/20<br/> witness [15] 1/17 3/2 27/19 31/9 31/17<br/> 34/15 34/17 36/15 39/2 39/20 40/22 41/20<br/> 43/24 44/23 46/10<br/> witness' [1] 32/1<br/> witnesses [1] 17/4<br/> won't [1] 29/13<br/> wonderful [1] 38/18<br/> word [2] 18/16 29/12<br/> words [1] 18/24<br/> work [9] 21/2 21/12 21/13 31/24 40/24<br/> 41/11 41/18 43/7 43/12<br/> would [25] 7/21 8/9 8/19 8/23 9/23 15/11<br/> 21/14 23/25 24/15 24/24 26/1 26/11 29/3<br/> 31/9 32/1 32/17 32/20 36/19 38/7 40/15 41/3<br/> 41/24 43/2 47/11 47/13<br/> wouldn't [1] 32/14<br/> write [2] 10/7 10/8<br/> writing [3] 9/21 9/23 23/25<br/> writings [1] 15/21</p> <p><b>X</b></p> <p>X101210 [1] 50/21</p> <p><b>Y</b></p> <p>yeah [13] 16/25 20/4 21/23 21/23 21/23 25/4<br/> 25/4 25/4 28/24 33/1 33/9 33/20 47/15<br/> years [1] 4/24<br/> yes [45] 4/16 4/20 5/6 5/9 5/11 5/15 6/5 7/17<br/> 7/22 7/25 8/14 8/22 9/2 9/12 9/12 10/1 10/4<br/> 10/18 11/16 11/19 13/4 13/14 14/9 15/7<br/> 16/19 24/24 25/6 27/7 30/7 30/15 30/22 31/4<br/> 33/24 35/8 37/4 37/5 37/25 38/17 41/12 42/2<br/> 42/23 43/8 44/18 47/5 48/11<br/> yesterday [4] 20/6 32/3 39/16 40/6<br/> you [233]<br/> you're [12] 8/16 18/18 20/8 20/25 21/9<br/> 32/19 33/6 35/6 39/11 46/16 48/20 48/25<br/> you've [1] 47/9<br/> your [40] 9/3 9/13 11/20 12/5 12/10 12/15<br/> 13/3 15/2 15/11 15/18 17/7 18/24 24/1 27/9<br/> 30/4 30/23 30/24 31/2 31/22 32/14 33/7<br/> 34/11 34/15 34/17 35/2 35/11 39/16 40/5<br/> 40/8 41/11 42/14 42/15 42/16 43/13 44/21<br/> 46/1 46/24 47/2 47/8 48/8<br/> yourselves [1] 32/11</p> |
| <p><b>U</b></p> <p>uh [3] 18/3 37/14 38/17<br/> uh-huh [3] 18/3 37/14 38/17<br/> understand [10] 10/25 11/4 11/4 19/17 20/8<br/> 28/22 32/8 33/1 43/11 43/16<br/> understanding [11] 9/17 11/20 11/24 12/2<br/> 12/5 12/10 12/13 12/15 14/10 14/14 15/2<br/> understands [1] 46/11</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 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